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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/509,640	09/29/2004	Kwang-Ho Choi	CU-3923 RJS/WWP	4297
26530	7590	10/30/2006	EXAMINER	
LADAS & PARRY LLP 224 SOUTH MICHIGAN AVENUE SUITE 1600 CHICAGO, IL 60604			MAYES, MELVIN C	
			ART UNIT	PAPER NUMBER
			1734	

DATE MAILED: 10/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/509,640

Applicant(s)

CHOI, KWANG-HO

Examiner

Melvin Curtis Mayes

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

(1)

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 7, 2006 has been entered.

Claim Rejections - 35 USC § 112

(2)

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

(3)

Claims 3-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 3 claims "maintaining the screw pipe to be combined with the entrance of the ceramic bottle." This is not clear.

Claim Rejections - 35 USC § 103

(4)

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

(5)

Claims 3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wagner 5,947,310 in view of Hwang et al. 6,539,618, further in view of the admitted prior art and Schleicher 2,303,303.

Wagner discloses a method comprising providing a wine bottle of cast glass or other material and provided with internal threads (screw projection) within the neck portion; providing a screw closure of molded plastic having peripheral external screw threads; and engaging the screw threads of the screw closure with the internal threads of the bottle to seal the bottle (col. 3-5). Wagner does not specifically disclose providing the bottle of ceramic.

Hwang et al. teach that wine is conventionally contained in glass or ceramic bottle (col. 1, lines 10-12).

The admitted prior art teaches that a ceramic bottle is made by assembling a funnel-shaped plaster framework with plaster frameworks; filling the inner side of the plaster framework with slip to form a bottle of specific thickness by slip casting; removing the plaster frameworks; and performing plasticity processing for the ceramic bottle (pg. 1-2).

Schleisher teach that to provide a ceramic shape with internal groove, a core form body is formed to which the ceramic is slip cast and the core form body is removed by heating during the baking or firing of the ceramic (pgs. 2-4).

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It would have been obvious to one of ordinary skill in the art to have provided the bottle of Wagner as a ceramic or glass bottle, as taught by Hwang et al., as conventional material for bottles to contain wine.

It would have been obvious to one of ordinary skill in the art to have made the ceramic bottle using a funnel-shaped plaster framework with plaster frameworks, as taught by the admitted prior art, as the method used to slip cast a ceramic bottle. Combining a core form body with the funnel-shaped framework by some type of medium to attach the core form body to the funnel-shaped framework so as to form the internal threads of the bottle while slip casting the bottle using the funnel-shaped framework and plaster frameworks and removing the core form body during the plasticity processing would have been obvious to one of ordinary skill in the art, as Schleicher teach that a core form body which is removed during the firing of the ceramic is used to form a ceramic shape having internal grooves. It would have been obvious to one of ordinary skill in the art to have removed the frameworks while leaving the core form body attached to the slip cast ceramic bottle for plasticity processing so as to not deform the internal threads to be formed on the ceramic bottle.

(6)

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over the references as applied to claim 3, and further in view of JP 61-60456.

JP 61-60456 (JP '456) teaches that in providing a ceramic bottle with a plastic cork, packing is provided between the bottle and the head of the cork (oral translation).

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It would have been obvious to one of ordinary skill in the art to have modified the method of making ceramic bottle to be sealed by a plastic cork of the references as combined by providing packing, as taught by JP '456, as provided between a ceramic bottle and plastic cork. Providing packing such as of silicon (silicone) would have been obvious to one of ordinary skill in the art as material used to provide a seal between a bottle and cork.

Allowable Subject Matter

(7)

Claim 4 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

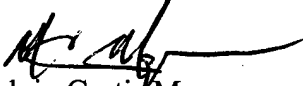
(8)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melvin Curtis Mayes whose telephone number is 571-272-1234. The examiner can normally be reached on Mon-Fri 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Fiorilla can be reached on 571-272-1187. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Melvin Curtis Mayes
Primary Examiner
Art Unit 1734

MCM
October 26, 2006